



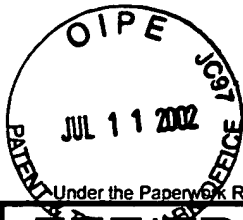
PTO/SB/21 (08-00)
Approved for use through 10/31/2002. OMB 0651-0031
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL FORM <i>(To be used for all correspondence after initial filing)</i>	Application Number	10/080,301	
	Filing Date	February 21, 2002	
	First Named Inventor	SVACEK, Joseph R.	
	Group Art Unit	2661	
	Examiner Name	to be assigned	
Total Number of Pages in This Submission	18	Attorney Docket Number	3857-PA48

ENCLOSURES (check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Assignment Papers (for an Application)	<input type="checkbox"/> After Allowance Communication to Group
<input checked="" type="checkbox"/> Fee Attached	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> Appeal Communications to Board of Appeals and Interferences
<input type="checkbox"/> Amendment / Response	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition Routing Slip (PTO/SB/69) and Accompanying Petition	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Status Letter
<input checked="" type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input checked="" type="checkbox"/> Additional Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	Executed Declaration/Power of Attorney; Return Postcard
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Small Entity Statement	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> Request for Refund	
<input checked="" type="checkbox"/> Response to Missing Parts/ Incomplete Application	Remarks	
<input checked="" type="checkbox"/> Response to Missing Parts Under 37 CFR 1.52 or 1.53		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
ATTORNEY NAME	Heidi L. Eisenhut, Registration No. 46,812
FIRM	BROWN, MARTIN, HALLER & McCLAIN, LLP
SIGNATURE	<i>Heidi Eisenhut</i>
DATE	July 8, 2002

CERTIFICATE OF MAILING			
I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on this date: July 8, 2002			
Typed or printed name	Sachiko Y. Snedden		
Signature	<i>Sachiko Y. Snedden</i>	Date	July 8, 2002



Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

FEE TRANSMITTAL for FY 2001

Complete if Known

Application Number	10/080,301
Filing Date	February 21, 2002
First Named Inventor	SVACEK, Joseph R.
Examiner Name	to be assigned
Group / Art Unit	2661
Attorney Docket No.	3857-PA48

TOTAL AMOUNT OF PAYMENT (\$265

METHOD OF PAYMENT (check one)

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:

Deposit
Account
Number
Deposit
Account
Name

02-4070

BROWN, MARTIN, HALLER & McCLAIN

☒ Charge Any Additional Fee Required
Under 37 C.F.R. §§1.16 and 1.17

☒ Applicant claims small entity status. See
37CFR 1.27

2. ☒ Payment Enclosed:

☒ Check ☐ Money Order ☐ Other

FEE CALCULATION

1. BASIC FILING FEE

Large Entity Fee Code	Large Entity Fee (\$)	Small Entity Fee Code	Small Entity Fee (\$)	Fee Description	Fee Paid
101	740	201	370	Utility filing fee	
106	330	206	165	Design filing fee	
107	510	207	255	Plant filing fee	
108	740	208	370	Reissue filing fee	
114	160	214	80	Provisional filing fee	

SUBTOTAL (1) (\$)

2. EXTRA CLAIM FEES

Total Claims	Extra Claims	Fee from below	Fee Paid
	-20**=	X	=
Independent Claims	- 3**=	X	=
Multiple Dependent			=

**or number previously paid, if greater. For Reissues, see below.

Large Entity Fee Code	Large Entity Fee (\$)	Small Entity Fee Code	Small Entity Fee (\$)	Fee Description
103	18	203	9	Claims in excess of 20
102	84	202	42	Independent claims excess of 3
104	280	204	140	Multiple dependent claim, if not paid
109	84	209	42	**Reissue independent claims over original patent
110	18	210	9	**Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$)

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity Fee Code	Large Entity Fee (\$)	Small Entity Fee Code	Small Entity Fee (\$)	Fee Description	Fee Paid
105	130	205	65	Surcharge - late filing fee or oath	\$65
127	50	227	25	Surcharge - Late provisional filing fee or cover sheet	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	400	216	200	Extension for reply within second month	\$200
117	920	217	460	Extension for reply within third month	
118	1,440	218	720	Extension for reply within fourth month	
128	1,960	228	980	Extension for reply within fifth month	
119	320	219	160	Notice of Appeal	
120	320	220	160	Filing a brief in support of appeal	
121	280	221	140	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,280	241	640	Petition to revive - unintentional	
142	1,280	242	640	Utility issue fee (or reissue)	
143	460	243	230	Design issue fee	
144	620	244	310	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	50	123	50	Petitions related to provisional applications	
126	180	126	180	Submission of Information Disclosure Stmt	
581	40	581	40	Recording each patent assignment per property (times number of properties)	
146	740	246	370	Filing a submission after final rejection (37 CFR 1.129(a))	
149	740	249	370	For each additional invention to be examined (37 CFR 1.129(b))	
Other fee (specify) _____					
Other fee (specify) _____					

* Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$265

SUBMITTED BY

Name (Print/Type) HEIDI L. EISENHUT

Registration No.
(Attorney/Agent)

46,812

Complete (if applicable)

Telephone (619) 238-0999

Signature

Heidi Eisenhut

Date

July 8, 2002

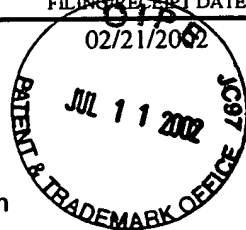
WARNING:
Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/080,301	02/21/2002	Joe Svacek	3857-PA48



CONFIRMATION NO. 8367

FORMALITIES LETTER



OC000000007759754

Heidi L. Eisenhut
Brown Martin Haller & McClain
1660 Union Street
San Diego, CA 92101

Date Mailed: 04/01/2002

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 65.

*A copy of this notice **MUST** be returned with the reply.*

Se/cm

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

07/16/2002 HMMARZ11 00000034 10080301

01 FC:205

65.00 OP



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of)	
)	FOR: DYNAMIC BANDWIDTH
INVENTOR(S): SVACEK, Joseph R. <i>et al.</i>)	ALLOCATION SYSTEM
)	
Serial No.: 10/080,301)	Group
)	Art Unit: 2661
Filed: February 21, 2002)	

LETTER IN RESPONSE TO NOTICE TO FILE
MISSING PARTS OF APPLICATION

Commissioner for Patents
Washington, D.C. 20231
Box Missing Part

Dear Sir:

In response to the Notice to File Missing Parts of Application - Filing Date Granted,
which was mailed by the Office on April 1, 2002, enclosed are the following:

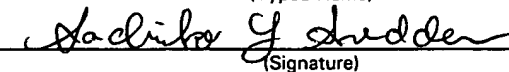
I hereby certify that this correspondence is being deposited with the
United States Postal Service as first class mail in an envelope addressed
to: Commissioner for Patents , Washington, D.C. 20231 on:

July 8, 2002

(Mailing Date)

Sachiko Y. Snedden

(Typed Name)



(Signature)

July 8, 2002

(Date of Signature)

1. A check in the amount of \$65 for the surcharge fee;
2. Office's copy of Formalities Letter;
3. Executed Declaration/Power of Attorney;
4. Petition for Extension of Time with \$200; and
5. Return postcard.

The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 02-4070. A duplicate copy of this letter is enclosed.

Respectfully submitted,

Dated: 7/8/02

By: Heidi Eisenhut
Heidi L. Eisenhut
Attorney for Applicant
Registration No. 46,812

BROWN MARTIN HALLER & McCLAIN LLP
1660 Union Street
San Diego, California 92101

Telephone: (619) 238-0999
Facsimile: (619) 238-0062

Docket No.: 3857-PA48